



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

Ecological Services  
Colorado Field Office  
755 Parfet Street, Suite 361  
Lakewood, Colorado 80215

IN REPLY REFER TO:

ES/CO: T&E/PMJM  
Mail Stop 65412

APR 4 2002

Victoria Card  
Colorado Springs Utilities  
121 South Tejon Street, Fourth Floor  
P.O. Box 1103, Mail Code 940  
Colorado Springs, Colorado 80947-0940

William C. Jones  
Federal Highway Administration  
Colorado Federal Aid Division  
555 Zang Street, Room 250  
Lakewood, Colorado 80228

Dear Ms. Card and Mr. Jones:

Based on the authority conferred to the U.S. Fish and Wildlife Service (Service) by the Endangered Species Act of 1973 (Act), as amended (16 U.S.C. 1531 *et seq.*), the Service has reviewed your request regarding a proposed "block clearance" for the federally-listed threatened Preble's meadow jumping mouse, *Zapus hudsonius preblei*, (Preble's) within a designated portion of the Colorado Springs metropolitan area and adjacent unincorporated El Paso County. The Service concurs with your conclusion that designation of a "block clearance" zone, as you have proposed and depicted on the map accompanying your letter of July 23, 2001, is appropriate. A "block-clearance" zone is one in which the Service has determined that the species in question is not likely to currently exist.

The Service's Interim Survey Guidelines for the Preble's Meadow Jumping Mouse (May 21, 1999) recommend that habitat assessments or trapping surveys be conducted in potentially suitable habitats in affected counties to assure compliance with the Act. In designating a block clearance zone, the Service eliminates the need for individuals or agencies to coordinate with the Service prior to conducting activities in habitats that otherwise would be deemed to have the potential to support Preble's. The establishment of this block clearance zone is based on the likely absence of Preble's within the area, and in no way precludes the Service from designating critical habitat within this zone. However, there currently appears to be little likelihood that any of the area would be proposed as critical habitat, or that would be of importance in any future plan to recover the species. Should Preble's be discovered within the block clearance zone it would be subject to full protection under the Act and the Service would consider modification of the zone as appropriate.

The area proposed by Colorado Springs Utilities (CSU) in the July 23, 2001, letter for the exclusion zone on Cottonwood Creek is bounded in the west by the eastern crossing of I-25 (SE 1/4 SE 1/4 Section 7, Township 13 South, Range 66 West) and in the east by the crossing of Black Forest Road (SE 1/4 SE 1/4 Section 31, Township 12 South, Range 66 West), including all tributaries to their headwaters. Cottonwood Creek east of Black Forest Road to its headwaters is on private land where access permission was not obtained and therefore not included in the block clearance zone. This area represents a total of 25.5 miles. On January 11, 2002, we received a request from the Federal Highway Administration (FHWA) to extend the block clearance zone downstream of the centerline of the I-25 bridges by 40 meters, which is approximately 110 meters upstream of the confluence with Monument Creek.

The Service concurs with the proposed exclusion zone based upon a series of factors that were evaluated in both proposals. These factors include 28 negative trapping surveys and habitat



assessments within this area between 1997 and June 2001. Of 16 trapping surveys conducted, there were two occurrences of Preble's: one of those occurrences was at the confluence of Cottonwood and Monument Creeks, west of the exclusion area, and the other was at Union Boulevard. The Union Boulevard capture was in 1997, and the site has been unsuccessfully trapped twice since that time with no Preble's captures. In addition to the trapping surveys, 12 habitat assessments were conducted and received concurrence from the Service that the sites did not possess suitable habitat. You also identified areas along the proposed block-clearance corridor greater than a half-mile in distance from any previously surveyed or assessed site and took photographs for our review. There were 11 such sites. Three additional trapping surveys were conducted in conjunction with the additional 40 meter request by FHWA and the Colorado Department of Transportation (CDOT) in 2001. Two of these surveys were on Cottonwood Creek and one on Monument Creek, and all were negative. Looking at the total number of habitat assessments (including the 11 photo points) and trapping surveys (including the three for FHWA and CDOT) per total miles in the exclusion zone, this represents one survey or habitat assessment every six-tenths of a mile. However, many portions of this area do not provide potentially suitable habitat. Urbanization has degraded much of the upland areas and riparian habitat patches are small and widely separated.

CSU, FHWA and CDOT will monitor the area near the confluence of Cottonwood and Monument Creeks two times per year (June and August) during the life of the exclusion, for Preble's presence. If mice are found in the area, the Service will be notified and the area of exclusion will be re-evaluated.

In addition to review by the Service, this proposed clearance was reviewed by biologists and research scientists familiar with the area, including biologists from the Colorado Division of Wildlife, members of the former Preble's Meadow Jumping Mouse Science Advisory Team, and the Preble's Meadow Jumping Mouse Recovery Team.

Effective the date of this letter, the block clearance zone will be in effect for a period of 3 years. After three years the Service will review the clearance, any additional information, and may renew the clearance as deemed appropriate. Based on additional information, the clearance zone may be expanded or adjusted periodically. We will have maps of the block clearance zone available on our web site ([www.r6.fws.gov/preble](http://www.r6.fws.gov/preble)) and at our office. We will also have the supporting data and summaries of the trapping surveys available as part of the administrative record for this project.

The Service emphasizes that while wetlands and riparian habitats within the block clearance zone do not support Preble's, they should be conserved and enhanced for other values including fish and wildlife habitat, flood control, and maintenance of water quality.

If the Service can be of further assistance, please contact Alison Deans Michael of my staff at (303) 275-2370.

Sincerely,



LeRoy W. Carlson  
Colorado Field Supervisor

Cottonwood Creek block clearance

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pc: B. McCue  
U.S. Army COE, Pueblo, CO  
Colorado Division of Wildlife, Denver, CO (C. Cooley, S. McClean)  
CDOT (R. Annand)  
All consultants working on Preble's in Colorado  
Michael

Reference: Alison/CDOT2001/Reg2